

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

FEB 16 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID ALLEN HARBOUR,

Defendant - Appellant.

No. 24-696

D.C. No.

2:19-cr-00898-DLR-1

District of Arizona,

Phoenix

ORDER

Before: Lisa B. Fitzgerald, Appellate Commissioner.

Appellant's motion (Docket Entry Nos. 3 & 4) to proceed in forma pauperis is granted. The Clerk will amend the docket to reflect this status.

The motion (Docket Entry No. 3) of retained counsel Stephen M. Dichter to withdraw and to appoint counsel is granted.

The Clerk will electronically serve this order on the appointing authority for the District of Arizona, who will locate appointed counsel. The appointing authority is requested to send notification of the name, address, and telephone number of appointed counsel to the Clerk of this court at counselappointments@ca9.uscourts.gov within 14 days of locating counsel.

Appellant's new counsel must order the reporter's transcript through submission of a CJA Form 24 to the district court by March 13, 2024. The transcript is due April 12, 2024. The opening brief and excerpts of record are due

May 22, 2024; the answering brief is due June 21, 2024; and the optional reply brief is due within 21 days after service of the answering brief.

Former counsel is reminded that, in future appeals, a motion to withdraw must be served on defendant, and the proof of service must include defendant's current address. *See* 9th Cir. R. 4-1(c).

The Clerk will serve this order on former counsel. Within 14 days of this order, appellee must serve this order on appellant individually and provide this court with proof of service, including appellant's address and registration number.